

## **REMARKS**

Claims 1-21 are currently pending in the application. Claim 21 is allowable. Claim 1 has been amended. Applicants respectfully request reconsideration of the pending claims in view of the following remarks.

### **Claim Rejections – 35 U.S.C. § 102**

The Examiner rejected Claims 6, 7 and 9 as being anticipated by U.S. Patent No. 3,897,619 (“Thivans”).

With respect to Claim 9, the Examiner has identified the first and second outer portions of Thivans as a pair of portions of an upper flange 1 that extend outwardly from a web 3 toward opposing sides of the flange 1 (see Fig. 2). The Examiner has not maintained a consistent position when viewing the first side, and the first and second outer portions with respect to Claim 6.

Thivans does not disclose the subject matter of independent Claim 6. In particular, Thivans does not disclose a plurality of weldments connected to and spaced along the first side, a first outer portion extending generally from the first leg toward the first side, and a second outer portion extending generally from the second leg toward the second side.

In contrast, Thivans discloses a deck or beam  $F_1$  formed of voussoirs V, and each voussoir V including a large amount of reinforcements 101, 102... and 201, 202... extending between two opposed end faces *a* and *b*. Each voussoir V comprises a box formed of the upper flange 1, a lower flange 2 and the vertical webs 3. The box extends between the two opposed end faces *a* and *b*. The upper flange 1 includes the pair of portions that extend outwardly from the webs 3 toward the opposing sides of the upper flange 1. The opposing sides of the upper flange 1 extend between the end faces *a* and *b*. The reinforcements 101, 102... and 201, 202... extend between the two end faces *a*, *b* and are concentrated in the webs 3 of the voussoirs V. The deck is pre-stressed longitudinally by means of the large number of reinforcements 101, 102... and 201, 202...

The reinforcements of Thivans are not connected to and spaced along either of the opposing sides of the flange 1 that extend outwardly from the webs 3. The reinforcements are positioned in the webs 3 and extend from the end faces *a* and *b* in order to pre-stress the deck or beam  $F_1$ . Therefore, to modify the voussoir to include reinforcements that are connected to and spaced along the side of the upper flange 1 would change the principle operation of Thivans.

For at least these reasons, Thivans does not disclose each claim limitation of independent Claim 6. Accordingly, independent Claim 6 is allowable. Claims 7-16 depend from Claim 6, and are allowable for at least the reasons Claim 6 is allowable.

#### Claim Rejections – 35 U.S.C. § 103

The Examiner rejected Claims 1-5 as being unpatentable over U.S. Patent No. 5,493,838 (“Ross”).

Ross does not disclose the subject matter of independent Claim 1. In particular, Ross does not disclose a plurality of weldments connected to and spaced along the first side, each of the plurality of weldments including a plurality of arms embedded in the first side, and a first leg and a second leg projecting from the bottom surface, a distance, in a direction substantially parallel to the deck, from the center of the first leg to the center of the second leg being more than two times greater than the distance from the first side to the center of the first leg.

In contrast, Ross discloses precast concrete panels 38 and 39 that are fastened to one another by means of bolts 60, nuts 62, and washers 64. Each concrete panel 38, 39 has a top 40, a bottom 42, opposed ends 43 and 45, and an inside face 44 with a plurality of equally spaced inwardly directed substantially vertical ribs 36 that extend between top 40 and bottom 42.

For at least these reasons, Ross does not disclose the subject matter of Claim 1. Accordingly, independent Claim 1 is allowable. Claims 2-5 depend from Claim 1 and are allowable for at least the reasons Claim 1 is allowable.

The Examiner rejected Claims 8 and 10-20 as being unpatentable over U.S. Patent No. 3,897,619 (“Thivans”).

Claims 8 and 10-16 depend from Claim 6 and are allowable for at least the reasons Claim 6 is allowable. As noted above, Thivans does not disclose the subject matter of Claim 6.

Thivans does not disclose the subject matter of independent Claim 17. In particular, Thivans does not disclose a plurality of weldments connected to and spaced along the first side, a first outer portion extending generally from the first leg toward the first side, and a second outer portion extending generally from the second leg toward the second side.

In contrast, Thivans discloses a deck or beam  $F_1$  formed of voussoirs V, and each voussoir V including a large amount of reinforcements 101, 102... and 201, 202... extending between two opposed end faces *a* and *b*. Each voussoir V comprises a box formed of the

upper flange 1, a lower flange 2 and the vertical webs 3. The box extends between the two opposed end faces *a* and *b*. The upper flange 1 includes the pair of portions that extend outwardly from the webs 3 toward the opposing sides of the upper flange 1. The opposing sides of the upper flange 1 extend between the end faces *a* and *b*. The reinforcements 101, 102... and 201, 202... extend between the two end faces *a*, *b* and are concentrated in the webs 3 of the voussoirs V. The deck is pre-stressed longitudinally by means of the large number of reinforcements 101, 102... and 201, 202...

The reinforcements of Thivans are not connected to and spaced along either of the opposing sides of the flange 1 that extend outwardly from the webs 3. The reinforcements are positioned in the webs 3 and extend from the end faces *a* and *b* in order to pre-stress the deck or beam  $F_1$ . Therefore, to modify the voussoir to include reinforcements that are connected to and spaced along the side of the upper flange 1 would change the principle operation of Thivans.

For at least these reasons, Thivans does not disclose the subject matter of independent Claim 17. Accordingly, independent Claim 17 is allowable. Claims 18-20 depend from Claim 17, and are allowable for at least the reasons Claim 17 is allowable.

#### Allowable Subject Matter

Applicants appreciate the Examiner's indication that independent Claim 21 is allowed.

**CONCLUSION**

In view of the foregoing, Applicants respectfully request entry of this Amendment and allowance of Claims 1-21. The undersigned is available for telephone conference during normal business hours.

Respectfully submitted,

/julie a. haut/

Julie A. Haut  
Reg. No. 51,789

Docket No. 049220-9006-00  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560

T:\CLIENTA\049220\9006\A2624006.0